HARMONY TOWNSHIP LAND USE BOARD 3003 BELVIDERE ROAD PHILLIPSBURG, N.J. 08865 AGENDA REORGANIZATION/REGULAR MEETING January 5, 2022 – 6:00 P.M.

REORGANIZATION MEETING AGENDA

Call To Order by Se	ecretary
---------------------	----------

Open Public Meeting Statement read by Secretary

Pledge of Allegiance led by Secretary

Roll Call

1. Oaths of Office:

Brian Tipton	Class I Land Use Board Member	1 year
Richard Cornely	Class III Land Use Board Member	1 year
Don Troxell	Class IV Land Use Board Member	4 years
Dara Rossi	Class IV Land Use Board Member	4 years
Glenn Fohr	Class IV Land Use Board Member	4 years
James Bronico, Jr.	Alternate #4	2 years

- Call for Nominations by Secretary for Chairperson
 Motion to appoint
- 3. Call for Nominations by Chairperson for Vice Chairperson
 -Motion to appoint
- Call for Nominations by Chairperson for Secretary
 Motion to appoint
- 5. Call for Nominations by Chairperson for Attorney-Motion to appoint Gregg Gianforcaro
- Call for Nominations by Chairperson for Engineer
 Motion to appoint Stanley Schrek of VanCleef Engineering
- 7. Call for Nominations by Chairperson for Planner-Motion to appoint VanCleef Engineering
- 8. Motion to adopt resolution R:2022-1 designating Meeting Dates
- 9. Motion to adopt resolution R:2022-2 designating Legal Newspapers

- 10. Motion to adopt resolution R:2022-3 non-fair and open awards
- 11. Motion to adjourn reorganization and commence the regular business meeting agenda

REGULAR BUSINESS MEETING AGENDA

- 1. Case #21-7; Variance Application Buchser Block 5, Lot 33
- 2. Mendall Subdivision/Lot Line Adjustment Resolution
- 3. Any other business for the Board
- 4. Public Comment Period
- 5. Motion To Adjourn

THIS AGENDA IS SUBJECT TO CHANGE BEFORE OR DURING MEETING

HARMONY TOWNSHIP LAND USE BOARD WARREN COUNTY, NEW JERSEY

R:2022-1

A RESOLUTION BY THE LAND USE BOARD OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY, IN REGARD TO REORGANIZATION/REGULAR MEETING DATES

WHEREAS, Section 13 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year, every public body shall post and mail to newspapers designated by said body a schedule of the location, time and date of each reorganization/regular meeting of said body during the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Land Use Board of the Township of Harmony, County of Warren and State of New Jersey, as follows:

1. The 2022 regular meetings of the Land Use Board of the Township of Harmony, County of Warren, State of New Jersey, shall be held hybrid (in person or virtual.) Instructions for the virtual platform ZOOM can be found on the Township's website at harmonytwp-nj.gov and will be used unless otherwise noticed, or in person at the Harmony Township Municipal Building, 3003 Belvidere Road, Phillipsburg, NJ 08865 commencing at 6:00 p.m., prevailing time, on the following dates contingent upon having business to be acted upon:

January	5	July	6
February	2	August	3
March	2	September	7
April	6	October	5
May	4	November	2
June	1	December	7

2. This Resolution shall take effect immediately.

I, Kelley Smith, Secretary of the Township of Harmony Land Use Board, do hereby certify the foregoing to be a true copy of a Resolution duly and was unanimously adopted by the Harmony Township Land Use Board at its reorganization meeting held on January 5, 2022.

R:22-2

Harmony Township Land Use Board

Warren County, New Jersey

RESOLUTION OF THE LAND USE BOARD OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN AND STATE OF NEW JERSEY, DESIGNATING NEWSPAPERS TO RECEIVE NOTICES OF MEETINGS

WHEREAS, Section 3 (d) of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that certain notices of meetings shall be submitted to two (2) newspapers, one of which shall be designated as the official newspaper of the Township of Harmony Land Use Board; and

WHEREAS, the second newspaper designated by this body must be one that has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meetings.

NOW, THEREFORE, BE IT RESOLVED by the Harmony Township Land Use Board of the Township of Harmony, County of Warren, and State of New Jersey:

- The EXPRESS-TIMES Warren County NJ Zone is hereby designated as the official newspaper of the Township of Harmony to receive all notices of meetings as required under the Open Public Meetings Act.
- 2) The STAR-LEDGER is hereby designated as the secondary newspaper which also has the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

This Resolution shall take effect immediately.

I, Kelley D. Smith, Secretary of the Harmony Township Land Use Board, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Harmony Township Committee at a meeting held on January 5, 2022.

Kelley D. Smith, Secretary

HARMONY TOWNSHIP LAND USE BOARD WARREN COUNTY, NEW JERSEY R22-3

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Harmony Township Land Use Board has a need to acquire professional services as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, the following professionals have submitted contracts for services as indicated:

- -Land Use Board Attorney; Gregg Gianforcaro of Gianforcaro Law
- -Land Use Board Engineer; Stanley Schrek of the Firm of Van Cleef Engineering Associates, LLC
- -Land Use Board Planner; Van Cleef Engineering Associates, LLC

WHEREAS, each professional., has completed and submitted a Business Entity Disclosure Certification which certified that they, have not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS, the required certificate for the availability of funds has been filed by the chief financial officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C. 5:30-14.5 and that fees for the aforementioned bond counsel services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE BE IT RESOLVED, by the Township Land Use Board of the Township of Harmony authorizes the Mayor and Clerk of the Township of Harmony to enter into a contract with the professionals as described herein on and in behalf of the Land Use Board of Harmony for 1 year; for the calendar year 2022 and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a legally designated publication.

CERTIFICATION

I, Kelley D. Smith, Land Use Board Secretary of the Township of Harmony, Warren County, New Jersey is a true and correct copy of a Resolution approved by the Land Use Board of the Township of Harmony at a regular meeting held on January 5, 2022.

Kelley D. Smith, Land Use Board Secretary



MEMORANDUM

Harmony Township Land Use Board

TO:

Harmony Township LUB Members

Gregory Gianforcaro, Esq. Stan Schrek, Engineer

FROM:

Kelley D. Smith, Land Use Board Secretary

DATE:

November 19, 2021

RE:

Case #21-7

Variance Application Buchser – Block 5, Lot 33

Enclosed for your review are documents associated with the application #21-7 referenced above requesting a variance.

This application will be scheduled to be heard on January 5, 2022.

If you have any questions, please contact my office.

STEVEN P. GRUENBERG

ATTORNEY AT LAW 151 Main Street Flemington, New Jersey 08822 Telephone (908) 751-7181 Telefax (908) 751-7182

EMAIL: StevenPGruenberg@Gruenberglegal.com

November 16, 2021

Kelley Smith, Board Secretary Township of Harmony Land Use Board Municipal Building 3003 Belvidere Road Phillipsburg, NJ 08865

Re:

Applicant:

David Michael Buchser & Ginger A. Buchser

Block 5, Lot 33 Harmony Township

Dear Kelley:

Please be advised that this office represents the applicant in regard to an application for variance relief pursuant to N.J.S.A. 40:55D-70(c). Enclosed please find the following in connection with this application:

- 1. 8 copies of Harmony Township Variance Application with Addendum
- 2. 8 copies of Plot Plan
- 3. Certification of Payment of Taxes
- 4. Completed W-9 form
- 5. Check in the amount of \$200.00 representing application fees made payable to "Township of Harmony."
- 6. Check in the amount of \$500.00 representing escrow fees made payable to "Township of Harmony."
- 7. 8 copies of Power Point presentation exhibit

Kindly advise when this matter has been deemed complete and will be scheduled for public hearing. Of course, If there is any additional information that you require, please feel free to contact me.

Very truly yours,

TEVEN P. GRUENBERG

SPG:lss

Enclosures

cc. client via email only

Paul Sterbenz, P.E., P.P. via email only

DAVID MICHAEL BUCHSER AND GINGER A. BUCHSER

APPLICATION FOR C VARIANCE RELIEF

Applicant:

David Michael Buchser and Ginger A. Buchser

Owner:

Same

Property Address: Hutchinson River Road

Block 5, Lot 33 Harmony Township

NARRATIVE STATEMENT

The applicants are the owners of a 2 story raised wood frame dwelling which is proposed to be removed from the property. The proposal is to reconstruct the dwelling and maintain the property in the single-family residential use. An existing cess pool will be removed and a new septic system will be established. The older dilapidated structure will be replaced by an attractive structure that will be more conforming. The property is located in the R-1 1/2 Residential zone.

The applicant seeks the following relief pursuant to N.J.S.A. 40:55D-70(c):to the extent necessary:

	Required	Existing	Proposed	
MIN. LOT AREA (S.F.)	20,000 S.F.	10,370 S.F.	10,370 S.F.	Pre-Existing
MIN. LOT WIDTH (STREET)	100 FT.	39.37 FT.	39.37 FT.	Pre-Existing
MAX. LOT COVERAGE (%)	25% 46% 46%		Pre-Existing	
MIN. SIDE YARD (ONE) (FT.)	25 FT.	3.8 FT.	5 FT.	Variance
MIN. SIDE YARD (BOTH) (FT.)	60 FT.	13.9 FT.	18.7 FT.	Variance

The applicant will present testimony in support of the relief set forth above pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-70.(c)(1). The applicant will establish that there would be an undue hardship should the zoning ordinance standards be strictly applied to this property in light of the shape, topography and natural features and the location of lawfully existing structures on site. The lot sizes are pre-existing and the shape of the lot is extremely long and narrow. Moreover, the granting of the variances will not substantially impair the intent and purpose of the zone plan and zoning ordinance The single family residence proposed is attractive and provides an aesthetic benefit to the community and is entirely consistent with adjacent uses.

The applicant will also present testimony in support of the relief set forth above pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-70.(c)(2). The applicant will establish that the proposed improvements will advance the purposes of the Municipal Land Use Law and that there will be no substantial detriment to the public good and the granting of the variances will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

HARMONY TOWNSHIP LAND USE BOARD

16 copies must be filed with the Secretary of the Land Use Board

Application No: Date Filed:
Tax Block:Lot(s):
Street/Road:
Fee Paid - \$ Previous Subdivisions Dates: (Check payable to: Township of Harmony)
DO NOT WRITE ABOVE THIS LINE -FOR TOWNSHIP USE ONLY
Application is hereby made pursuant to the Zoning Ordinances of the Township of Harmony for:
Type of Application:
□ Major Subdivision □ Minor Subdivision □ Site Plan Review
□ Conditional Use
Type of action requested: □ Classification □ Preliminary □ Final Approval □ Re-approval
□ Other
Date of previous action taken by Board (if applicable):
Type of Action:
5
1. Applicant: David Michael and Ginger A. Buchser
Address: 2731 Newburg Road
Easton, Pennsylvania 18045
Telephone: 610 636 7059
Email Address: Mike.Buchser@bhemail.com

2.	Applicant's Engineer: Paul M. Starbanz, P. F. P. P. C./o. Colliers Engineering and Design
	Address: 53 Frontage Road, Suite 110, Hampton, N.I 08827
	Telephone: 908 507 7353
	Email Address: Paul. Sterbenz@colliersengineering.com
3.	If represented by counsel
	Attorney's Name: Steven P. Gruenberg, Attorney At Law
	Address: 151 Main Street, Flemington, NJ 08822
	Telephone: 908 751 7181
	Email Address: stevenpgruenberg@gruenberglegal.com
4.	If Applicant is a Corporation or Partnership: Name of President or Partner: N/A
	Corporation Name:
	Address:
	Telephone :
5.	Name & Address of all other partners or stockholders of the corporation required to be disclosed by N.J.S. 40:55D-48.1 et seq. (attach separate page, if necessary)
	<u>N/A</u>
	OTE: If applicant is a corporation, it may only appear before the Board through New Jersey attorney.
6.	Name of Present Owner: Same as Applicant
	Address:

Check one below if other to between owner and applications.		ure of legal relationsh	nip
□ I am under a contract of contract)	sale with the present o	wner (attach copy of	
□ I am applying with the e	xpress consent of the p	resent owner	
□ Other: (explain): The appl	icant is the owne	r	 -
7. If there have been any date(s)	prior applications to this	s Board for this prope	rty, give
Previous Application:	N/A		
Applicant's name:			
Application No			
8. This application propose concerns review of a site p	es to subdivide <u>N/A</u> plan for property consis	acres into ting ofacr	lots, or es.
9. Have there been any myour previously submitted	Plats. If so, indicate na	ture of the changes:	
			,
10. List of Plats and other	material made part of t	nis submission:	
<u>ltem</u>	No. of Copies	Title of Doo	<u>cument</u>
a. b. c. d. e. f. g.	Buchse Lot 33	nce Plan for Dav er and Ginger A. , Township of Ha , New Jersey"	Buchser, Block 5

re	quir	eme	ents?	
Ø	YES	3	□ NO If so, state nature of relief sought:	
			ance from Section <u>165-18</u> of Harmony Township Zoning inance respecting:	
		1)	Lot area	
		2)	Lot dimension	
		3)	Setback Single Side Vard Setback and Combined Side Yard Setb	ack
		4)	Yard Requirements See attached	
0	В.		ection for issuance of building permit for building or structure mapped street, drainage way, flood control basin on public area	
0	C.		ection for issuance of a permit for a building or structure not lated to a street	
o	D.	Con	nditional Use	

11. Does this application require any relief concerning zoning ordinance

NOTE: If the application requests any of the relief set forth immediately above, the Applicant is required to give public notice of the hearing on said application pursuant to Ch. 291, P.L. 1975 (C. 40:55D-12) and to file proof of full compliance therewith the Secretary of the Planning Board.

The Municipal Land Use Law (291, P.L. 1975 (C. 40:55D-1 et seq.) sets forth the procedural requirements for the notices required to be given by Applicants for any Official Action of this Board which requires a public hearing. This law also sets forth the statutory tests of when such an Official Action can be taken and what relief may be granted to the Applicant. If you are uncertain as to what must be proven to the Board in order to justify granting of the relief sought or how it must be proven, you should obtain competent advice or assistance.

Applicants - Please Note

The Harmony Township Committee and the Planning Board have established the position of Planning Board Secretary and Administrative Officer (Clerk) and have prescribed the duties and responsibilities of the office for which the Secretary and/or Clerk for services over and above her normal duties will require reimbursement by the Applicant to the Township of Harmony by the Secretary and/or Clerk. If there is any doubt as to which services will result in additional

costs to the Applicant, it shall be the Applicant's responsibility to so inquire in advance.

I hereby certify that the information contained in the within Application is complete and accurate and understand that the Harmony Township Land Use Board will be relying thereon in taking Official Action upon my Application.

SIGNATURES:

Dated: 11/1/2021 Applicant: WBlett
Dated: 11/11/2021 Applicant: Jungu Buch
EMAIL: MIKE. BUCHSER @ BHLEMAIL.OM
As a condition of subdivision approval of a tract into six or more lots, or approval of a site to be used for commercial purposes, the applicant, where it is a corporation or partnership, shall submit as part of its application a list of the names and addresses of all stockholders or individual partners owning at least 10% of its stock pursuant to R.S. 40:55D – 48.1 et seq. if applicable.
Full disclosure pursuant to the requirements of the N.J.S. 40:5- 48.1 et seq. hereby made in the within application or on the attached sheet and is hereby certified to be accurate to the best of my knowledge.
Applicant: Much Buch Date: 4/11/21
Applicant: geryecBucken
CERTIFICATION BY TAX COLLECTOR
I hereby certify that, as of the date of the within application, no real property taxes are due and remain unpaid on the property which is the subject of the within application.
Date:Tax Collector:

SCHEDULE E HARMONY TOWNSHIP PRELIMINARY SITE PLAN CHECKLIST

Complies	Does Not Comply	pour montre	Code Ref.	-
]137-5A	Taxes and Assessments
/	<u> </u>]137-5B	Ownership Disclosure Statement
1/			137-6A]	Preliminary Approval (1) Eight Copies of Plans (2) Eight Copies of Application Forms (3) Fees in Accordance with 137-14
		/	137-10A	Common Data (1) Plan Size (2) Title Block Data (a) Name of Site (b) Name, Address, Membership of Preparer (c) Term "Preliminary Site Plan" (d) Date of Drawing (e) Drawing Reference Number (f) Section Number, if applicable (g) Scale of Drawing (3) Additional Drawing Data (a) North Arrow and Reference Meridian (b) Revision Dates

^{*} If Walver is Requested, Specific Reasons for Consideration must be Submitted

NOTE:

The Checklist Item Descriptions are not All-Inclusive.

The Applicant is Directed to Refer to the Harmony Township Ordinance for More Specific Detail on Requirements for Completeness.

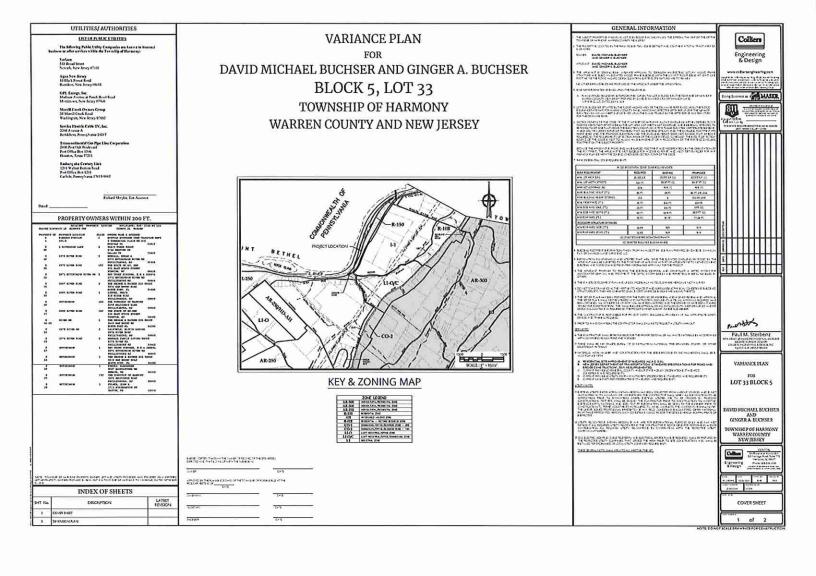
SCHEDULE F HARMONY TOWNSHIP FINAL SITE PLAN CHECKLIST

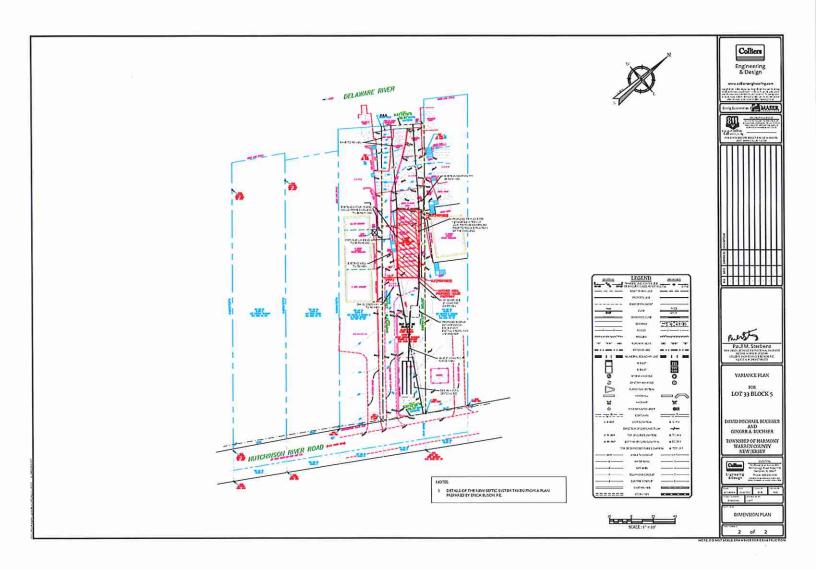
Complies	Does Not Comply	Waiver Sought*	Code Ref.	.
]137-5A	Taxes and Assessments
	I]137-5B	Ownership Disclosure Statement
/			137-7A]	Final Approval (1) Eight Copies of Plans (2) Eight Copies of Application Forms
				Common Data (1) Plan Size (2) Title Block Data (a) Name of Site (b) Name, Address, Membership of Preparer (c) Term "Final Site Plan" (d) Date of Drawing (e) Drawing Reference Number (f) Section Number, if applicable (g) Scale of Drawing (3) Additional Drawing Data (a) North Arrow and Reference Meridiam (b) Revsion Dates
	1		137-10D]	Final Site Plan Requirements (1) Details and Design as per 137-11

^{*} If Waiver is Requested, Specific Reasons for Consideration must be Submitted.

NOTE:

The Checklist Item Descriptions are not All-Inclusive.
The Applicant is Directed to Refer to the Harmony Township Ordinance for more Specific Detail on Requirements for Completeness.







Harmony Township Warren County, New Jersey 3003 Belvidere Road Phillipsburg, NJ 08865

Phone 908-213-1600 www.harmonytwp-nj.gov

Fax 908-213-1850

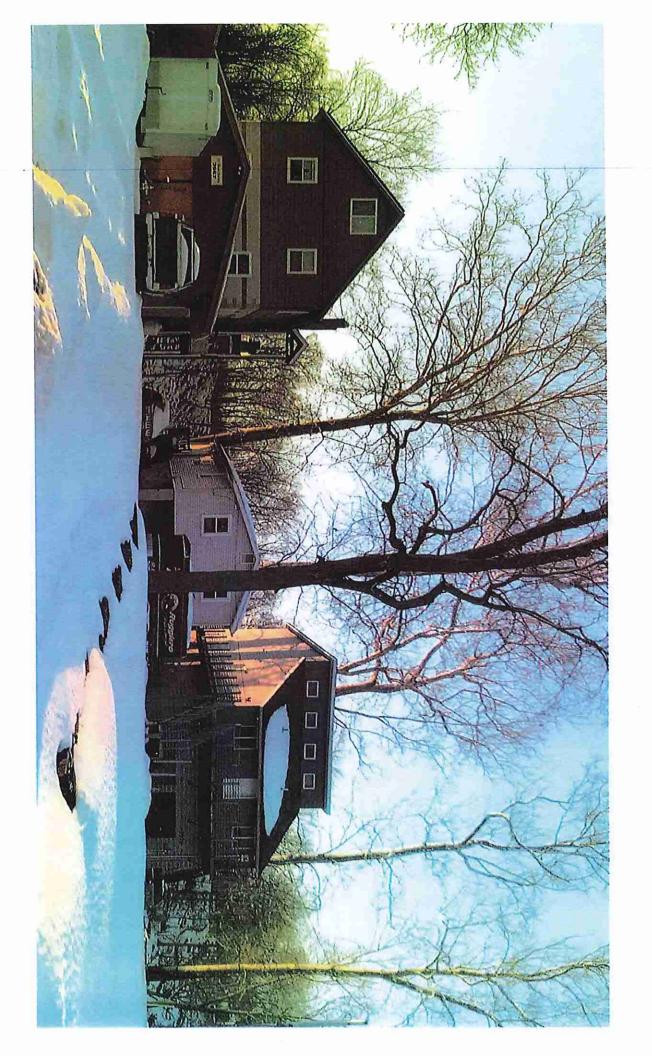
Mayor: Brian Tipton Administrator/Municipal Clerk: Kelley Smith

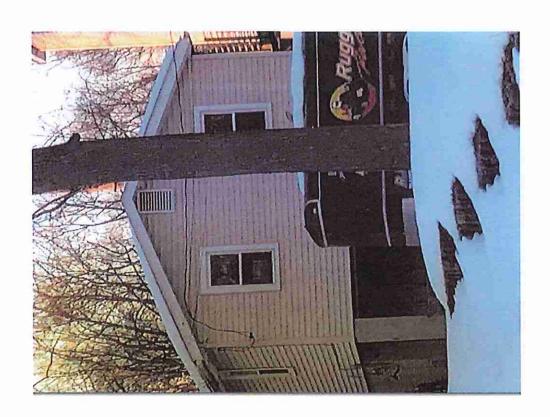
Deputy Mayor: Diane Yamrock Committeeman; Richard Cornely

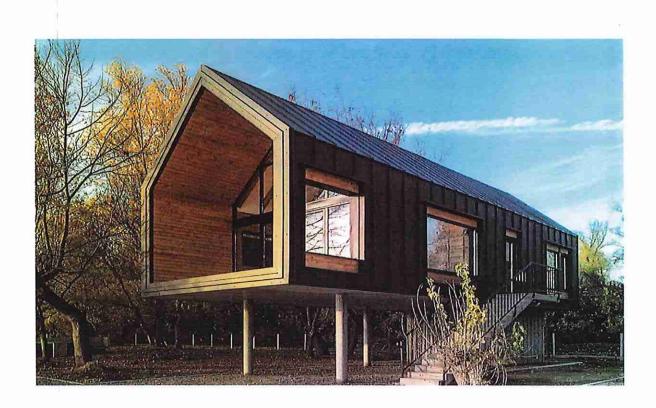
Tax Collector's Certification Land Use Board
Date: 11 12 21
Block: 5 Lot: 33 Qual:
Applicant's Name: David Michael Bushser & Ginger A. B.
Owner's Name: David M& Ginger A Buchser
Property Location: 2969 Hutchinson River Rd
Amount of Property Taxes due: Paid in Full Sur 2021
I hereby certify that as of the date of this application that the above is true.
I hereby certify that as of the date of this application that the above is true. Rachel E. Leber, CTC Township of Harmony Township of Harmony
Rachel E. Leber, CTC
Township of Harmony
mr. lec comin

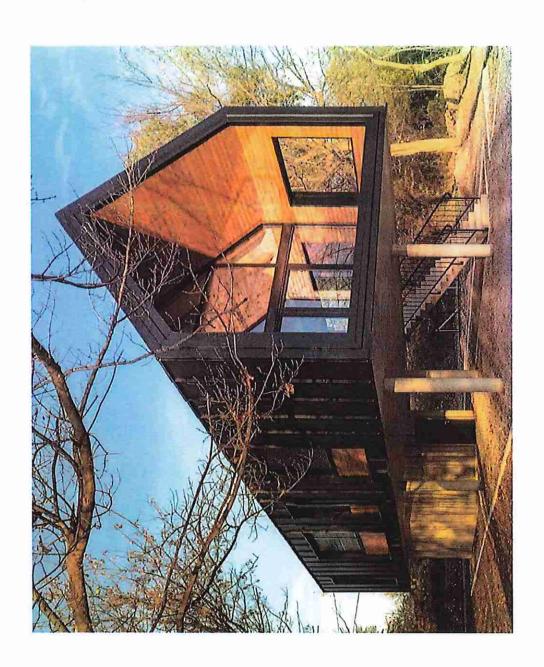
Mike and Ginger Buchser 2969 Hutchinson River Road Block 5 Lot 33 Harmony Twp.

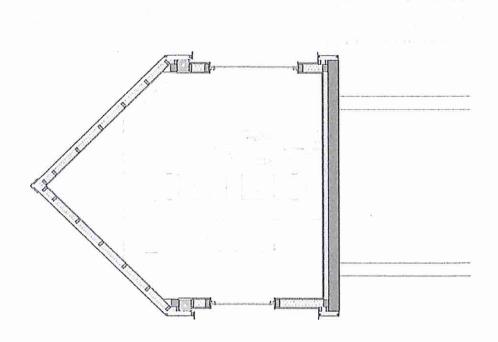
Mike.Buchser@bhemail.com 610-636-7059

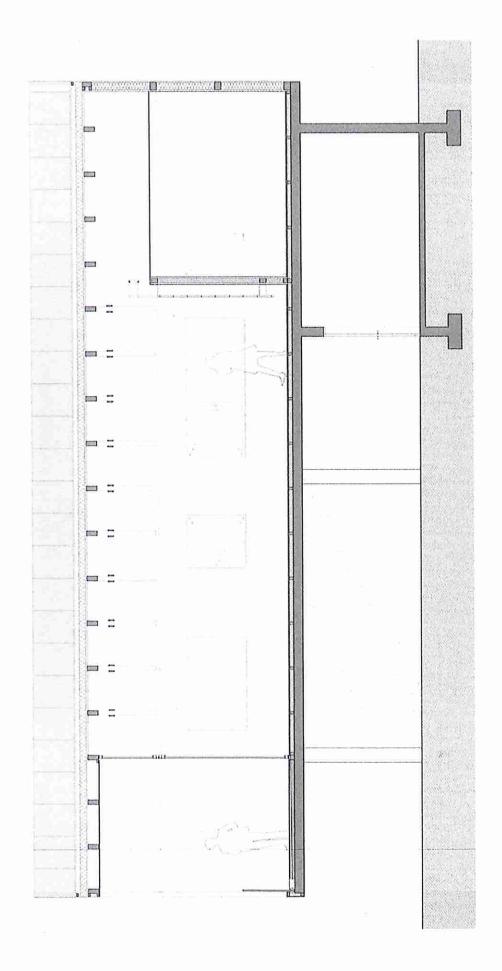












- - - -

